



**NORTH AMERICAN AEROSPACE DEFENSE COMMAND
AND
UNITED STATES NORTHERN COMMAND**



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JAN 25 2013

MuckRock News
Mr. Shawn Musgrave
PO Box 55819
Boston MA 022055819

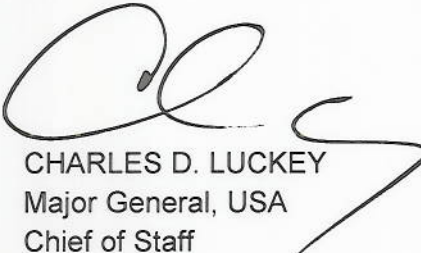
Dear Mr. Musgrave

We received your Freedom of Information Act (FOIA) request dated 20 September 2012. Your request was assigned USNORTHCOM FOIA case number FY12-21SEP2012-NNC65. In your request letter you asked for the following: CONPLAN 3502: Civil Disturbance Operations.

The requested document was complex and required extensive review with other Department of Defense components and agencies. After review by multiple agencies, the Director, Force Planning, Home Land Defense, Office of the Under Secretary of Defense for Policy has determined that the document information is exempt from mandatory disclosure in its entirety under FOIA exemption (b)(5) as it is a planning tool, deliberative in nature, and contains proposed actions and options for use at the discretion of higher authority per letter dated 10 December 2012. Their case number is 10-F-0523. The authority for this exemption is United States Code, Title 5, Section 552 (b) (5). This constitutes our final response to your FOIA request FY12-21SEP2012-NNC65.

As a requester in the "All Others" fee category, you have received the first 2 hours of search time and first 100 pages of duplication at no cost. There are no assessable fees for processing your request as the command exceeded its 20 day statutory response time.

If you are not satisfied with our Commands' response on your request, you may administratively appeal to Mr. James Hogan, Chief, Policy, Appeals and Litigation Branch, Office of Freedom of Information, 1155 Defense Pentagon, Washington DC 20301-1155. Your appeal should be postmarked within 60 days of the date of this letter, cite our case number FY12-21SEP2012-NNC65 as well as the OSD case number 10-F-0523, and it should be clearly marked "Freedom of Information Act Appeal" on the request.


CHARLES D. LUCKEY
Major General, USA
Chief of Staff